IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE P.R.RAMAN

WEDNESDAY, THE 17TH JANUARY 2007 / 27TH PAUSHA 1928

WP(C).No. 33823 OF 2006(B)

PETITIONER:

N.GOPALAKRISHNAN,
NILATHUVARIL HOUSE,
P.O.THENKARA, MANNARKKAD.

BY ADV. SRI.G.PRABHAKARAN

RESPONDENTS:

THE SECRETARY,
REGIONAL TRANSPORT AUTHORITY,
PALAKKAD.

GOVT. PLEADER SRI. M.A. FAYAZ.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 17/01/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

P.R. RAMAN, J.

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W.P.(C) NO. 33823 OF 2006

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DATED THIS, THE 17TH DAY OF JANUARY, 2007

J U D G M E N T

The grievance of the petitioner is that though pursuant to the order of the STAT, variation of the permit was granted as per Ext.P2 dated 31.1.2005, follow up action for issuing permit after settling timings is not taken.

2. A counter affidavit is filed by the respondent explaining the circumstances under which the delay occurred. According to them, the delay occurred due to the non co-operation of the petitioner. According to them, in compliance of the decision of the RTA, a timing conference was fixed on h 4.6.2005; but petitioner could not attend the conference and requested for postponement the same. Accordingly, the timing conference fixed on 4.6.2005 was adjourned to 12.7.2005. Again on 11.7.2005, petitioner sought for further adjournment. In these circumstances, according to them, the delay occurred not due to any fault on their part.

3. Heard the learned Government Pleader. Having considered the rival submission, though it cannot be said that the delay occurred solely due to any fault on the part of the respondent, but after the last of the timing conference which was held on 12.7.2005, more than a year has elapsed thereafter. The subsequent delay is not explained. In the circumstances, there will be a direction to take up follow up action including the item in the next timing conference and issue permit as per Ext. P2, at any rate, within three months.

The writ petition is disposed of as above.

P.R. RAMAN,
JUDGE.

knc/-